

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 JANICE K. LACHMAN, State Bar No. 186131
Supervising Deputy Attorney General
4 1300 I Street, Suite 125
P.O. Box 944255
5 Sacramento, CA 94244-2550
Telephone: (916) 445-7384
6 Facsimile: (916) 327-8643

7 Attorneys for Complainant

8
9 **BEFORE THE**
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. OA 2004-124

13 CORINNE JALEH COOK,
a.k.a. CORINNE J. COOK,
14 a.k.a. CORINNE NELSON
P. O. Box 954
15 Carlsbad, California 92008

A C C U S A T I O N

16 Occupational Therapy Certificate No. OTA 1348

17 Respondent.

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19 Complainant alleges:

20 **PARTIES**

- 21 1. Heather Martin ("Complainant") brings this Accusation solely in her
22 official capacity as the Executive Officer of the California Board of Occupational Therapy
23 ("Board"), Department of Consumer Affairs.
- 24 2. On or about March 1, 2004, the Board issued Occupational Therapy
25 Certificate Number OTA 1348 to Corinne Jaleh Cook, also known as Corinne J. Cook and
26 Corinne Nelson ("Respondent"). Respondent's occupational therapy certificate was in full force
27 and effect at all times relevant to the charges brought herein and will expire on November 30,
28 2010, unless renewed.

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states:
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(1) Placing the license on probation with terms and conditions.

(3) Revoking the license.

(5) Taking other action as the board, in its discretion, deems proper.

The board shall retain jurisdiction to proceed with any investigation, action or disciplinary proceeding against a license, or to render a decision suspending or revoking a license, regardless of the expiration, lapse, or suspension of the license by operation of law, by order or decision of the board or a court of law, or by the voluntary surrender of a license by the licensee.

The board may deny or discipline a licensee for any of the following:

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6. Code section 2570.29 states, in pertinent part:

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(3) Alcoholic beverages.

(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof . . .

7. Code section 490, subdivision (a), states:

In addition to any other action that a board is permitted to take against a licensee, a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

8. Code section 493 states, in pertinent part:

Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question . . .

9. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Criminal Conviction)

10. Respondent is subject to disciplinary action pursuant to Code section 2570.28, subdivision (e), in that on or about November 29, 2005, in the criminal proceeding titled *People v. Corinne Jaleh Cook aka Corinne J. Cook aka Corinne Nelson* (Super. Ct. County of Orange, 2005, Case No. 05SM02530), Respondent pled guilty to violating Vehicle Code sections 23152, subdivision (a) (driving under the influence of alcohol/drugs, a misdemeanor), and 23152, subdivision (b) (driving with a blood alcohol level of .08% or more, a misdemeanor),

1 crimes substantially related to the qualifications, functions, or duties of an occupational therapist.
2 The circumstances of the crimes are as follows: On or about May 19, 2005, Respondent willfully
3 and unlawfully drove a vehicle while having a blood alcohol level of .27%.

4 **SECOND CAUSE FOR DISCIPLINE**

5 **(Use of Alcoholic Beverages to an Extent or in a Manner**

6 **Dangerous or Injurious to Oneself and Others)**

7 11. Respondent is subject to disciplinary action pursuant to Code section
8 2570.28, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section
9 2570.29, subdivision (b), in that on or about May 19, 2005, Respondent used alcoholic beverages
10 to an extent or in a manner dangerous or injurious to herself and others, as set forth in paragraph
11 10 above.

12 **THIRD CAUSE FOR DISCIPLINE**

13 **(Conviction of a Criminal Offense Involving**

14 **the Consumption of Alcoholic Beverages)**

15 12. Respondent is subject to disciplinary action pursuant to Code section
16 2570.28, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section
17 2570.29, subdivision (c), as follows: On or about November 29, 2005, Respondent was
18 convicted of a criminal offense involving the consumption of alcoholic beverages, as set forth in
19 paragraph 10 above.

20 **PRAYER**

21 WHEREFORE, Complainant requests that a hearing be held on the matters herein
22 alleged, and that following the hearing, the California Board of Occupational Therapy issue a
23 decision:

- 24 1. Revoking or suspending Occupational Therapy Certificate Number
25 OTA 1348, issued to Corinne Jaleh Cook, also known as Corinne J. Cook and Corinne Nelson;
26 2. Ordering Corinne Jaleh Cook, also known as Corinne J. Cook and Corinne
27 Nelson, to pay the California Board of Occupational Therapy the reasonable costs of the

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1 investigation and enforcement of this case, pursuant to Business and Professions Code section
2 125.3;

3 3. Taking such other and further action as deemed necessary and proper.

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5 DATED: April 16, 2009

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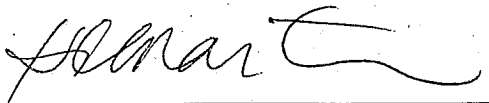
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HEATHER MARTIN
Executive Officer
California Board of Occupational Therapy
Department of Consumer Affairs
State of California
Complainant